

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

United States of America,

—v—

Eric Fernandez,

Defendant.

USDC SDNY
DOCUMENT
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12-cr-844-9 (AJN)

ORDER

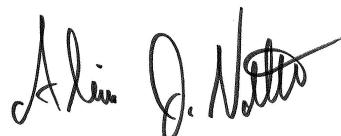
ALISON J. NATHAN, District Judge:

Defendant Eric Fernandez has moved for a sentence reduction pursuant to Section 404 of the First Step Act of 2018. However, the sentence reduction provisions of that act pertain only to certain convictions for offenses that were “committed before August 3, 2010.” *See* First Step Act of 2018, Pub. L. No. 115-391, § 404(a), 132 Stat. 5194, 5222. The purpose of these provisions was to make the Fair Sentencing Act of 2010 retroactive for convictions that occurred before the Fair Sentencing Act was in effect. Defendant’s conviction was for conduct that occurred after August 3, 2010, the date the Fair Sentencing Act took effect. Therefore, Defendant is not eligible for relief under the First Step Act. His motion is denied.

The Government is hereby ordered to mail a copy of this Order to Defendant. If it is impracticable for the Government to mail a copy of this Order, then the Government should notify the Court within three days of the date of this Order, so the Court can implement an alternative procedure.

SO ORDERED.

Dated: April 7, 2020
New York, New York



ALISON J. NATHAN
United States District Judge

